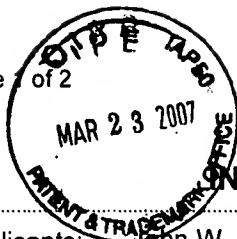


JF



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John W. Phillips

Serial No. 10/566,426

Filed: January 30, 2006

For: Methods for Using a Sterol Biosynthesis Pathway
Reporter Gene to Screen for Antifungal or Lipid Lowering
Compounds

Art Unit: _____

Examiner: To Be AssignedCommissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

ROSETTA INPHARMATICS LLC

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. N.A./

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

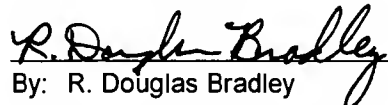
RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☐ the attached information is filed within three months of the filing date of the captioned case.
- ☒ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ the undersigned certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ the undersigned certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,



By: R. Douglas Bradley

Attorney _____ For Applicant(s)

Reg. No. 44,553

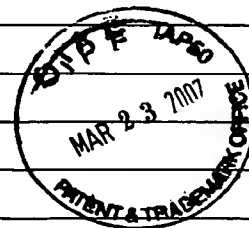
ROSETTA INPHARMATICS LLC
401 Terry Avenue North
Seattle, WA 98109

(206) 802-6301

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Date: March 20, 2007

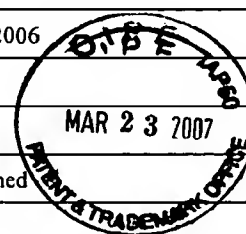
Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	10/566,426	
			Filing Date	January 30, 2006	
			First Named Inventor	Phillips	
			Group Art Unit		
			Examiner Name	To Be Assigned	
Sheet	2	of	4	Attorney Docket Number	RS0212



NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	C1	Alam J;Cook JL; "Reporter genes: application to the study of mammalian gene transcription" 1990, Anal Biochem 188(2):245-254
	C2	Bachmair F;Huber CG;Daxenbichler G; "Quantitation of gene expression by RT-PCR and HPLC analysis of PCR products" 2002, Methods Mol Biol 193:103-116
	C3	Balkis MM;Leidich SD;Mukherjee PK;Ghannoum MA; "Mechanisms of fungal resistance: an overview" 2002, Drugs 62(7):1025-1040
	C4	Blanchard AP;Hood L; "Sequence to array: probing the genome's secrets" 1996, Nat Biotechnol 14(13):1649
	OC5	Blondelle SE;Houghten RA; "Novel antimicrobial compounds identified using synthetic combinatorial library technology" 1996, Trends Biotechnol 14(2):60-65
	C6	Bojase G;Majinda RR;Gashe BA;Wanjala CC; "Antimicrobial flavonoids from Bolusanthus speciosus" 2002, Planta Med 68(7):615-620
	C7	Bussey H;Kaback DB;Zhong W;Vo DT;Clark MW;Fortin N;Hall J;Ouellette BF;Keng T;Barton AB; "The nucleotide sequence of chromosome I from Saccharomyces cerevisiae" 1995, Proc Natl Acad Sci U S A 92(9):3809-3813
	C8	Cubitt AB;Heim R;Adams SR;Boyd AE;Gross LA;Tsien RY; "Understanding, improving and using green fluorescent proteins" 1995, Trends Biochem Sci 20(11):448-455
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	C10	Dimster-Denk D;Rine J;Phillips J;Scherer S;Cundiff P;DeBord K;Gilliland D;Hickman S;Jarvis A;Tong L;Ashby M; "Comprehensive evaluation of isoprenoid biosynthesis regulation in Saccharomyces cerevisiae utilizing the Genome Reporter Matrix" 1999, J Lipid Res 40(5):850-860
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	C12	Feldmann H;Aigle M;Aljinovic G;Andre B;Baclet MC;Barthe C;Baur A;Becam AM;Biteau N;Boles E;; "Complete DNA sequence of yeast chromosome II" 1994, EMBO J 13(24):5795-5809
	C13	Galibert F;Alexandraki D;Baur A;Boles E;Chalwatzis N;Chuat JC;Coster F;Cziepluch C;De Haan M;Domdey H;Durand P;Entian KD;Gatius M;Goffeau A;Grivell LA;Hennemann A;Herbert CJ;Heumann K;Hilger F;Hollenberg CP;Huang ME;Jacq C;Jauniaux JC;Katsoulou C;Karpfing "Complete nucleotide sequence of Saccharomyces cerevisiae chromosome X" 1996, EMBO J 15(9):2031-2049
	C14	Gorman JA;Chang LP;Clark J;Gustavson DR;Lam KS;Mamber SW;Pirnik D;Ricca C;Fernandes PB;O'Sullivan J; "Ascosteroside, a new antifungal agent from Ascotricha amphitricha. I. Taxonomy, fermentation and biological activities" 1996, J Antibiot (Tokyo) 49(6):547-552
	C15	Heller RA;Schna M;Chai A;Shalon D;Bedilion T;Gilmore J;Woolley DE;Davis RW; "Discovery and analysis of inflammatory disease-related genes using cDNA microarrays" 1997, Proc Natl Acad Sci U S A 94(6):2150-2155

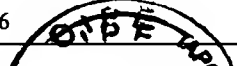
Examiner Signature	Date Considered
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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	10/566,426	
			Filing Date	January 30, 2006	
			First Named Inventor	Phillips	
			Group Art Unit		
			Examiner Name	To Be Assigned	
Sheet	3	of	4	Attorney Docket Number	RS0212



NON PATENT LITERATURE DOCUMENTS		
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.
	C16	Humphery-Smith I;Cordwell SJ;Blackstock WP; "Proteome research: complementarity and limitations with respect to the RNA and DNA worlds" 1997, Electrophoresis 18(8):1217-1242
	C17	Johnston M;Andrews S;Brinkman R;Cooper J;Ding H;Dover J;Du Z;Favello A;Fulton L;Gattung S;; "Complete nucleotide sequence of Saccharomyces cerevisiae chromosome VIII" 1994, Science 265(5181):2077-2082
	C18	Lashkari DA;DeRisi JL;McCusker JH;Namath AF;Gentile C;Hwang SY;Brown PO;Davis RW; "Yeast microarrays for genome wide parallel genetic and gene expression analysis" 1997, Proc Natl Acad Sci U S A 94(24):13057-13062
	C19	Liang P;Pardee AB; "Differential display of eukaryotic messenger RNA by means of the polymerase chain reaction" 1992, Science 257(5072):967-971
	C20	Lockhart DJ;Dong H;Byrne MC;Follett MT;Gallo MV;Chee MS;Mittmann M;Wang C;Kobayashi M;Horton H;Brown EL; "Expression monitoring by hybridization to high-density oligonucleotide arrays" 1996, Nat Biotechnol 14(13):1675-1680
	C21	Martel RR;Rounseville MP;Botros IW;Seligmann BE; "Multiplexed Chemiluminescent Assays in ArrayPlates for High-Thoroughput Measurement of Gene Expression" 2002, Proceedings of SPIE 4626:35-43
	C22	McCormack PJ;Wildman HG;Jeffries P; "Production of antibacterial compounds by phylloplane-inhabiting yeasts and yeastlike fungi" 1994, Appl Environ Microbiol 60(3):927-931
	C23	Muller PY;Janovjak H;Miserez AR;Dobbie Z; "Processing of gene expression data generated by quantitative real-time RT-PCR" 2002, Biotechniques 32(6):1372-1379
	C24	Rahalison L;Hamburger M;Hostettmann K;Monod M;Frenk E; "A Bioautographic Agar Overlay Method for the Detection of Antifungal Compounds from Higher Plants" 1991, Phytochemical Analysis 2:199-203
	C25	Rho K; Jeong H;Kahng B; "Identification of essential and functionally moduled genes through the microarray assay" 2003, 1-21 http://arxiv.org/abs/cond-mat/301110
	C26	Rios JL;Recio MC;Villar A; "Screening methods for natural products with antimicrobial activity: a review of the literature" 1988, J Ethnopharmacol 23(38751):127-149
	C27	Rose M;Botstein D; "Construction and use of gene fusions to lacZ (beta-galactosidase) that are expressed in yeast" 1983, Methods Enzymol 101:167-180
	C28	Rothstein RJ; "One-step gene disruption in yeast" 1983, Methods Enzymol 101:202-211
	C29	Schena M;Shalon D;Davis RW;Brown PO; "Quantitative monitoring of gene expression patterns with a complementary DNA microarray" 1995, Science 270(5235):467-470
	C30	Sternberg S; "The emerging fungal threat" 1994, Science 266(5191):1632-1634

Examiner Signature	Date Considered
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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				COMPLETE IF KNOWN	
				Application Number	10/566,426
				Filing Date	January 30, 2006
				First Named Inventor	Phillips
				Group Art Unit	
				Examiner Name	To Be Assigned
				Attorney Docket Number	RS0212
Sheet	4	of	4		

[illegible]

Examiner Signature	/Nina Archie/	Date Considered	06/17/2008
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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